

AMENDED IN SENATE JANUARY 11, 2012

AMENDED IN SENATE MAY 11, 2011

AMENDED IN SENATE APRIL 5, 2011

AMENDED IN SENATE MARCH 22, 2011

## SENATE BILL

**No. 730**

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### Introduced by Senator Kehoe

February 18, 2011

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~~An act to add and repeal Article 2.5 (commencing with Section 44273.5) of Chapter 8.9 of Part 5 of Division 26 of the Health and Safety Code, relating to air resources. An act relating to the payment of claims against the state, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.~~

#### LEGISLATIVE COUNSEL'S DIGEST

SB 730, as amended, Kehoe. ~~Plug-In Electric Vehicle Readiness Pilot Program.~~ *Claims against the state: appropriation.*

*Existing law authorizes a procedure for the payment of claims against the state.*

*This bill would appropriate \$12,312,000 from specified funds to the Department of Justice to pay for specified settlements of claims against the state.*

*This bill would declare that it is to take effect immediately as an urgency statute.*

~~Existing law establishes the Alternative and Renewable Fuel and Vehicle Technology Program, administered by the State Energy Resources Conservation and Development Commission (Energy Commission), to provide to specified entities, upon appropriation by the Legislature, grants, loans, loan guarantees, revolving loans, or other~~

appropriate measures, for the development and deployment of innovative technologies that transform California's fuel and vehicle types to help attain the state's climate change goals. Existing law specifies that only certain projects or programs are eligible for funding, including a program to provide funding for homeowners who purchase an electric vehicle to offset costs associated with modifying electrical sources to include a residential plug-in electric vehicle charging station.

This bill would establish the Plug-In Electric Vehicle Readiness Pilot Program to be administered by the commission. The bill would require that the program include, but not be limited to, strategies that address several objectives relating to the permitting and planning of plug-in electric vehicle residential charging. The bill would also require the commission to solicit statewide the involvement of cities and counties for participation in the program. The bill would repeal these provisions on January 1, 2015.

Vote: ~~majority~~<sup>2/3</sup>. Appropriation: ~~no~~ yes. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. The sum of twelve million three hundred twelve
- 2     thousand dollars (\$12,312,000) is hereby appropriated to the
- 3     Department of Justice to be allocated in accordance with the
- 4     following schedule:
- 5     (a) The sum of one million five hundred thousand dollars
- 6     (\$1,500,000) is hereby appropriated from the State Parks and
- 7     Recreation Fund to pay for the settlement in the case of Aaron
- 8     Ciccotti, Harold Ciccotti, and Bradley Ciccotti v. State of
- 9     California (Merced County Superior Court, 2011, No. CV000577).
- 10    Any funds appropriated in excess of the amounts required for the
- 11    payment of this claim shall revert to the State Parks and Recreation
- 12    Fund on June 30 of the fiscal year in which the final payment is
- 13    made.
- 14    (b) (1) The sum of ten million eight hundred twelve thousand
- 15    dollars (\$10,812,000) is hereby appropriated from the General
- 16    Fund to be allocated in accordance with the following schedule:
- 17    (A) The sum of six million dollars (\$6,000,000) to pay the
- 18    settlements and accumulated interest in the cases of Environmental
- 19    Protection Information Center v. California Department of
- 20    Forestry and Fire Protection (Humboldt County Superior Court,

2011, No. CV990445), and *Steelworkers of America v. California Department of Forestry and Fire Protection (Humboldt County Superior Court, 2011, No. CV990452)*.

(B) The sum of three hundred twelve thousand dollars (\$312,000) to pay the settlement and accumulated interest in *California School Boards Association, et al. v. State of California (San Diego County Superior Court, 2011, No. 37-2007-00082249)*.

(C) The sum of four million five hundred thousand dollars (\$4,500,000) to pay the settlement and accumulated interest in *Mather Development Partners IV, L.P. v. EdFund, Inc., et al. (Sacramento County Superior Court, 2011, No. 34-2011-00095194)*.

(2) Any funds appropriated in excess of the amounts required for the payment of the claims described in paragraph (1) shall revert to the General Fund on June 30 of the fiscal year in which the final payment is made.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to pay judgment and settlement claims against the state and end hardship to claimants as quickly as possible, it is necessary for this act to take effect immediately.

~~SECTION 1. Article 2.5 (commencing with Section 44273.5) is added to Chapter 8.9 of Part 5 of Division 26 of the Health and Safety Code, to read:~~

~~Article 2.5. Plug-In Electric Vehicle Readiness Pilot Program~~

~~44273.5. (a) The Plug-In Electric Vehicle Readiness Pilot Program is hereby created. The program shall be administered by the State Energy Resources Conservation and Development Commission. The commission shall implement the program by regulation pursuant to the requirements of Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code. The commission shall solicit the involvement of cities and counties statewide for participation in the program. The program shall include, but not be limited to, strategies that address all of the following:~~

1     ~~(1) The development of expedited and streamlined permitting~~  
2     ~~of plug-in electric vehicle (PEV) residential charging.~~

3     ~~(2) Customer PEV education and outreach.~~

4     ~~(3) The provision of information to PEV owners concerning a~~  
5     ~~point of contact with the appropriate local government entity.~~

6     ~~(4) Public and workplace infrastructure PEV planning, including,~~  
7     ~~but not limited to, planning relating to compliance with the federal~~  
8     ~~Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101~~  
9     ~~et seq.).~~

10    ~~(5) Ensuring utility notification of residential level 2 PEV~~  
11    ~~chargers.~~

12    ~~(b) The commission, in consultation with participating cities~~  
13    ~~and counties, shall develop a process for evaluating the~~  
14    ~~effectiveness of the pilot program. The evaluation shall measure~~  
15    ~~the progress of the elements specified in paragraphs (1) to (5),~~  
16    ~~inclusive, of subdivision (a) and include an evaluation of best~~  
17    ~~practices.~~

18    ~~(c) (1) The commission shall report the findings of the~~  
19    ~~evaluation specified in subdivision (b) to the Legislature for the~~  
20    ~~periods covering January 1, 2012, to December 31, 2012, inclusive,~~  
21    ~~and January 1, 2013, to December 31, 2014, inclusive.~~

22    ~~(2) The report required to be submitted pursuant to this Section~~  
23    ~~shall be submitted in compliance with Section 9795 of the~~  
24    ~~Government Code.~~

25    ~~(d) This section shall remain in effect only until January 1, 2015,~~  
26    ~~and as of that date is repealed, unless a later enacted statute, that~~  
27    ~~is enacted before January 1, 2015, deletes or extends that date.~~